

<b>RURAL COMMUNITY INSURANCE COMPANY,</b>	)	<b>AGBCA No. 99-130-F</b>
<b>(1994 Crop Year Raisins)</b>	)	
	)	
Appellant	)	
	)	
<b>Representing the Appellant:</b>	)	
	)	
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**DECISION OF THE BOARD OF CONTRACT APPEALS**

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August 3, 2001

**Before HOURY, VERGILIO, and WESTBROOK, Administrative Judges.**

**Opinion for the Board by Administrative Judge WESTBROOK.**

This appeal arises out of a Standard Reinsurance Agreement (SRA) between Rural Community Insurance Company (RCIC or Appellant) of Minneapolis, Minnesota, and the Federal Crop Insurance Corporation (FCIC or Respondent). Under the SRA, RCIC sells and administers multi-peril crop insurance (MPCI) which insurance is reinsured by the FCIC. The Risk Management Agency (RMA), an agency of the U. S. Department of Agriculture (USDA), administers and oversees the federal crop insurance programs on behalf of FCIC.

This appeal involves Compliance Case No. SA-EF00-236 relating to 32 1994 crop year raisin policyholders whose raisin crops were affected by rain during the fall of 1994. At issue are final determinations by the Sacramento Compliance Field Office (SCFO) for the Director of Insurance Operations deciding that Appellant was liable for a total of \$1,410,348 in indemnity overpayment and \$5,392 in premium overstatement. Appellant requested reconsideration, but no further determination was issued by RMA. This appeal was filed January 11, 1999. The Board has

jurisdiction under 7 CFR 24.4(b) and 400.169(d).

Appellant filed a Complaint and two Amended Complaints, all of which Respondent answered. The parties engaged in extensive discovery. Discovery disputes arose resulting in a Motion to Compel Discovery and Board rulings, as well as several telephonic conferences among the parties and the Board. In addition, Respondent filed a Motion to Dismiss as to two of the 32 compliance cases. The Board denied the Motion. Rural Community Insurance Co. (Prieto and Hansen), AGBCA No. 99-130-F, 99-2 BCA ¶ 30,561. Appellant filed a Motion for Partial Summary Judgment which the Board also denied. Rural Community Insurance Co., AGBCA No. 99-130-F, 01-1 BCA ¶ 31,228. Appellant also filed a Motion for Default Judgment and a Renewed Motion for Default Judgment. The latter motions were pending when the Board issued its last discovery ruling. Thereafter, Appellant wrote the Board asking that ruling on the motions be deferred pending settlement discussions between the parties. On April 9, 2001, Appellant informed the Board that the appeal had been settled. Upon execution of a Settlement and Release Agreement, the parties would file a Joint Stipulation of Dismissal. The Board has now received the parties' Joint Stipulation of Dismissal and Settlement and Release Agreement requesting that the Board dismiss the appeal with prejudice.

**DECISION**

The Board grants the parties' joint request and dismisses the appeal with prejudice.

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**ANNE W. WESTBROOK**  
Administrative Judge

**Concurring:**

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**EDWARD HOURY**  
Administrative Judge

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**JOSEPH A. VERGILIO**  
Administrative Judge

**Issued at Washington, D.C.**  
**August 3, 2001**